



PATENT  
Attorney Docket No. 501094

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James J. Barnat, et al.

Art Unit: 3652

Application No. 09/873,800

Examiner: not assigned

Filed: June 4, 2001

For: ROADWAY PAVING SYSTEM AND  
METHOD INCLUDING ROADWAY  
PAVING VEHICLE AND SUPPLY  
TRUCK

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir

Applicants hereby respond to the Notice to File Missing Parts of Application dated August 9, 2001.

The items checked below are appropriate:

**1. Status of Applicant**

This application is on behalf of  other than a small entity or  a small entity.

**2. Documents Submitted Herewith**

- a.  Executed Declaration of inventor(s)
- b.  Nucleotide and/or Amino Acid Sequence Submission:
  - i.  Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1)  CD-ROM or CD-R (2 copies); or
    - (2)  Paper Copy
  - iii.  Statement verifying identity of above copies
- c.  Verified English translation of application
- d.  Copy of the Notice to File Missing Parts of Application.
- e.  Substitute Drawings
- f.  Other:

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**CERTIFICATE OF MAILING**

I hereby certify that this document (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: August 20, 2001

**3. Fees**

**Application Filing Fee**

APPLICATION FEES				
BASIC FEE				\$ 710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	70 -20=	50	x \$18.00	\$ 900.00
Independent Claims	7 - 3=	4	x \$80.00	\$ 320.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$270.00	\$
			Total of above calculations =	\$ 1,930.00
			Reduction by 50% for filing by small entity =	\$( )
			<b>Fee Due =</b>	<b>\$1,930.00</b>

**Late Filing of Oath or Declaration**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  other than a small entity or  a small entity.

**Fee Due**      \$130.00

**Submitting a Non-English Specification**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due**      \$ 0.00

**Petition For Extension Of Time**

Applicants petition for a extension of time under 37 CFR 1.136, the fee for which is \$0.00 (enclosed).  
 Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

**Fee Due**      \$

**4. Total Fee Due**

The total fee due is:

Application Filing Fee	\$1,930.00
Late Filing of Declaration Surcharge	\$130.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$ 0.00

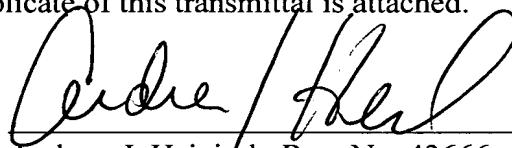
**Total Fee Due:** \$2,060.00

**5. Fee Payment**

Attached is a check in the sum of \$2,060.00.  
 Charge Account No. 12-1216 the sum of \$ . A duplicate of this transmittal is attached.

**6. Fee Deficiency**

If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.



Andrew J. Heinisch, Reg. No. 43666  
One of the Attorneys for Applicant(s)  
LEYDIG, VOIT & MAYER, LTD.  
6815 Weaver Road  
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Rockford, Illinois 61114-8018  
(815) 963-7661 (telephone)  
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Date: August 20, 2001



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,800	06/04/2001	James J. Barnat	501094

23626  
LEYDIG VOIT & MAYER, LTD  
6815 WEAVER ROAD  
ROCKFORD, IL 61114-8018

CONFIRMATION NO. 2864

## FORMALITIES LETTER



\*OC00000006404995\*

Date Mailed: 08/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1220.
  - \$900 for 50 total claims over 20.
  - \$320 for 4 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2060.**

*A copy of this notice **MUST** be returned with the reply.*

*MP*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/24/2001 EABUBAK1 00000066 09873800

01 FC:101	710.00 OP
02 FC:102	320.00 OP
03 FC:103	900.00 OP
04 FC:105	130.00 OP

RECEIVED  
AUG 13 2001

LEYDIG, VOIT & MAYER LTD

CSO	AJH	JJM	KLW	MNS
MJT	TMB	SEH	DJH	JMC